

**FREMONT PLANNING BOARD  
September 14, 2005  
Meeting Minutes**

Present: Co-Chairman Peter Gibb, Selectmen's rep. Peter Bolduc, Dan Cocci, Leon Holmes, Jr., Building Inspector Thom Roy, Conservation Commission rep/Alternate Jack Karcz, RPC rep. David West and recording Secretary Meredith Bolduc.

Mr. Gibb called the meeting to order at 7:30 p.m.

Mr. Holmes made the motion to allow Mr. Karcz voting rights for anything that comes before tonight's meeting.

Motion seconded by Mr. Cocci with unanimous favorable vote.

**DRIVEWAY REGULATIONS – NEW  
REGULATION AMENDMENTS - Subdivision, Site Plan Review and Excavation**

Mr. Gibb opened this Public Hearing at 7:35 pm and read the public notice of the hearing as follows:

*In accordance with NH RSA 675:6 and 675:7, you are hereby notified that the Fremont Planning Board will hold a Public Hearing on Wednesday September 14, 2005 at 7:30 p.m. at the Fremont Town Hall for the purpose of creating new Fremont Driveway Regulations and amending the Fremont Subdivision Regulations, Fremont Site Plan Review Regulations and Fremont Excavation Regulations.  
The full text of the amendments and the proposed Driveway Regulations can be viewed at the Fremont Town Hall during regular business hours.*

**Driveway Regulations: Adopt New  
Driveway Regulations  
TOWN OF FREMONT  
ROCKINGHAM COUNTY  
NEW HAMPSHIRE**

September 14, 2005

**ARTICLE 1: GENERAL PROVISIONS**

**SECTION 1. AUTHORITY**

Under the Authority vested in the Fremont Planning Board by the voters of the Town of Fremont, New Hampshire, on March 12, 1957, and under the New Hampshire Revised Statutes Annotated, and the powers conferred by RSA 236:13 for regulation of access to public highways the Fremont Planning Board adopts the following driveway regulations.

## SECTION 2. PURPOSE

1. To provide for orderly development and access to public ways within the Town of Fremont.
2. To construct driveway entrance at permitted location in accordance with State Statutes, Town practices and provisions of driveway permit specifications and drawings for driveway entrances.
3. Insure that all driveways conform to current zoning requirements and those specific provisions as applicable within Subdivision or Site plan approvals.

## SECTION 3. VALIDITY

If any section, clause, provision, portion or phrase of these regulations shall be held to be invalid or unconstitutional by any court of competent authority and jurisdiction such holding shall not affect, impair or invalidate any other section, clause, provision, portion or phrase of these regulations.

## SECTION 4. CONFLICTING PROVISIONS

Whenever the regulations made under the authority hereof differ from those prescribed by the statute, ordinance or other regulations, that provision which imposes the greater restriction or the highest standard shall govern.

## SECTION 5. REFERENCES

- A. Fremont Master Plan - Town of Fremont.
- B. Land Subdivision Regulations - Town of Fremont.
- C. Fremont Zoning Ordinance.
- D. Site Plan Review Regulations – Town of Fremont
- E. Applicable Town, State and/or Federal Permits.

## SECTION 6. JURISDICTION

These regulations apply specifically to driveway applications onto any roads or streets within the jurisdiction of the Town of Fremont. For all driveways located on State maintained roads within the Town of Fremont the driveway permit shall comply with the requirements of the State of New Hampshire.

## ARTICLE 2: APPLICATION PROCEDURES

### SECTION 1. Permit Required

No driveway giving access to a Class V or Class VI highway or road shown on a subdivision plat or having been adopted by the Town of Fremont shall be constructed or altered in any way that substantially effects the size and grade of the driveway within the limits of the public right-of-way without a written permit issued by the Planning Board or its designee.

This includes all driveways of new construction and all reconditioning, paving or re-paving of exiting driveways.

Driveway access to Class VI roads can only be approved by the Office of Selectmen.

Consistent with these regulations all driveway construction, reconstruction, resurfacing, or paving where it accesses a Town right of way must have an issued permit prior to work beginning. Work completed without a permit may be required to be altered or reconstructed so as to meet town Driveway Specifications.

## Section 2. Administration

The Planning Board or its designee shall administer the permit application process, perform site inspections as appropriate, and issue enforcement directives in connection with these regulations.

## Section 3 – Permit Fee

A fee, established by the Planning Board, shall be submitted by the applicant to the Planning Board or its designee prior to the issuance of the Driveway Permit. This fee amount shall be posted within the Town of Fremont fee schedules and may be revised as determined to be necessary. Separate permit fees may be established for residential, commercial, and multi-family or as otherwise deemed necessary by the Planning Board.

## Section 4 – Permit Application

The Driveway Permit application shall be obtained from and submitted to the Planning Board or its designee. For new construction a permit is required to be obtained prior to the issuance of a building permit. In all cases an approved permit is required prior to work activity within the Town designated right-of-way access.

## Section 5 – Inspections

An inspection schedule shall be established as part of the driveway permit. The applicant/owner is responsible to insure that inspections are scheduled prior to work being performed.

## Section 6 – Occupancy Permitting

Occupancy permits shall not be issued until final inspection and sign-off of the driveway permit has taken place and/or a security bond is posted as determined by these regulations.

# Article 3 – Security Bonding

A security cash bond shall be required to be established to insure completion of all appropriate work activity within the access right-of-way. The amount of this security bond shall be set by the Planning Board and may be revised as determined to be necessary from time to time.

### Article 4 – Permitting

The Applicant is responsible for obtaining a driveway permit from the Planning Board or designee prior to the issuance of a building permit. A copy of the signed driveway permit shall be submitted at the time of application for a building permit.

When a proposed driveway is located on a State road, the Applicant is responsible for obtaining the necessary approval and permits from the State. A copy of the permit shall be submitted to the Town of Fremont and the New Hampshire Department of Transportation approval number shall be shown on the permit.

### Article 5 – Fremont Driveway Construction Standards

1. When a proposed driveway is located on a Town road, the Applicant is responsible for certifying the proper sight distance is provided at the location indicated on the plans. For all residential driveways located on the lot serving a single family or duplex lot, the minimum proper all season sight distance shall be two hundred (200') feet in all directions. Residential Sight distance is measured from ten feet back from the edge of the roadway and 5 feet high. Clearing of brush and/or trees, or ledge outcroppings may be required to gain proper site distances.
2. For all other driveways (common/shared, commercial, industrial, multi-family, etc.), the minimum all season sight distance shall be two-hundred (200') feet in all directions. Proper visibility easements, if required, shall be provided to meet the sight distance requirements.
3. All driveways shall conform to the side and rear setbacks contained in their specific approved subdivision plan otherwise access right-of-way set backs shall reflect a 30 foot sideline setback within the Town access right-of-way – once outside of the access right of way the driveway may be positioned no closer than 10 feet from the property sideline. Exceptions to the sideline setbacks may be approved upon inspection of the site and any existing conditions that so warrant.
4. All new subdivisions after the acceptance of these regulations shall provide for thirty (30) foot property sideline setbacks unless otherwise waived by the Planning Board.
5. Driveway width for residential single family shall be at a minimum of 10 feet to a maximum of 14 feet at the right-of-way with ten (10') foot radii at the edge of pavement of the street. Shared driveway or duplex driveway width shall be a minimum of 18 feet and a maximum of 20 feet within the Town right-of-way.
6. All driveways shall provide sufficient opportunity for reversing of vehicles to prevent backing onto Town Roads. This area should be a minimum of 18 – 22 feet in width to provide for anticipated angle of access of 60-90 degrees.
7. Any new driveway of excessive length (greater than 250 feet) shall provide a turnaround for emergency vehicles. Such turnaround shall be located within 50 feet of the structure. The turnaround shall have a design dimension of 18 x 50 feet or may provide for pass-by design sized to 10 feet width and 40 feet in length. All emergency areas shall have a base minimum of six (6) inches of bank run gravel with a surface minimum of four (4) inches of processed gravel. Any such emergency turnaround shall be maintained and accessible for year round use.
8. No grades shall be greater than 10% unless written approval is provided by the fire chief.

9. Driveways must be graded and have proper drainage to prevent runoff from entering a town right-of-way. This will generally require a -2% slope to be maintained for 25 feet from the roadway surface. All cut slopes are to be 2:1 or less.
10. Where required, culverts must be a minimum of twelve (12) inch HDPE (or sufficiently similar material) and a minimum of twenty (20) feet long and/or extend at least five (5) feet from the edge of pavement or gravel. Such culverts such have an HDPE flare attached or similarly constructed material approved by the Planning Board and/or designee.
11. Culverts may require headwalls built on each end. Headwalls should be constructed of stone unless otherwise approved by the Planning Board or its' designee. Headwall construction shall be a minimum 6 inches thick at top and 18 inches thick at the base.
12. A Minimum of (1) foot cover over all culverts is desired where feasible.
13. Driveway flare shall be no more than twenty-two (22) feet at the roadway.

## Article 6 – Definition

Driveway shall mean to include any access to public way and is meant to include all parking areas, turning areas, etc.

## Article 7 - Additional Provisions

1. The Applicant/owners is to hold harmless the Town of Fremont and it's duly appointed agents and employees against any action for personal injury and/or property damage sustained by reason of the exercise of the Town Driveway Permit.
2. The applicant/owner is responsible to furnish and install drainage structures that are necessary in maintaining existing highway drainage and adequately handle increased runoff resulting from development and in such a manner so as to prevent any drainage from running onto the Town roadway.
3. The applicant/owner is to leave the Town of Fremont highway right-of-way free from all debris such as stones, earth and brush resulting from the construction of such driveway. All areas are to be properly seeded to prevent erosion.
4. Any non-property owners must submit written proof that he/she is an authorized agent prior to seeking a permit.
5. All driveways must conform to current Fremont zoning requirements.
6. All driveways shall be constructed as to provide all season safe access for fire and safety apparatus.
7. All driveways are to be viewed/inspected by the Planning Board or designee prior to paving in order to insure proper drainage.
8. If the driveway is not to be paved; at least a thirteen foot apron (access right-of-way) is to be paved in from the roadway. This apron shall be three inches (3") thick of hot top with a base minimum of six (6) inches of bank run gravel covered with a minimum of four (4) inches of processed gravel.
9. Upon the issuance of a permit the owner/applicant agrees to maintain the driveway culvert in good and operational condition, regardless of the culvert location.

Mrs. O'Brien asked if, relative to Article 2 Section 1 paragraph 2, an existing driveway would need a permit in order to be re-graded or recondition. Mr. Holmes stated that it may need a permit if it affected the town right-of-way. Mr. Bolduc suggested that the Road Agent should be contacted.

Mr. Roy suggested an amendment to Article 6 by adding item 14 *"The driveway where it meets the roadway shall intersect at a 90 degree angle or as otherwise waived"*. Mr. Holmes made the motion to approve the amendment as suggested by Mr. Roy and also to replace "exiting" with "*existing*" under Article 2 Section 1 paragraph 2. Motion seconded by Mr. Karcz with unanimous favorable vote.

Mr. Bolduc made the motion to approve and adopt the above driveway regulations in their entirety and as amended. Motion seconded by Mr. Holmes with unanimous favorable vote.

## SUBDIVISION REGULATIONS

### Article 2 Section 1

Add New        *"A duplicate of the application and plans shall be sent to Rockingham Planning Commission for review of completeness of application at the time it is sent to the Planning Board"*

Add New        *"All applications must conform to the Fremont Zoning Regulations before jurisdiction can be taken by the Planning Board."*

Add New        *"An amendment to any existing approved subdivision plan shall be subject to all original conditions and approvals unless otherwise specified."*

### Add New Article 2 Section 5 A-1

1. *Application for Waiver or Amendment* to any portion of an already approved plan (as per 1 lot see fee schedule)

## LOT LINE ADJUSTMENT

### Add New Article 1 Section 6 A-1

*Lot Line Adjustments. Minor lot line adjustments or boundary agreements that do not create buildable lots.*

*Lot Line Adjustments shall be subject to the Subdivision Regulations and RSA 676:4*

Mr. Gibb explained that the rational for the amendments to the proposed Subdivision

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Regulations and Lot Line Adjustment under the same regulations were to replace the same ones that were omitted in the 2002 amendments. The proposed new Subdivision Regulation Article 2 Section 5-A.1 is to establish a fee for waivers and amendments.

Mr. Cocci made the motion to approve the Subdivision Regulation amendments including the new sections under Article 2 Section 1, new Article 2 Section 5A-1 and new Article 1 Section 6 A-1 as presented and noticed.

Motion seconded by Mr. Holmes with unanimous favorable vote.

## **EXCAVATION REGULATIONS**

Article 11.1.3: Change fourteen (14) days to ten (10) days

It was noted that this proposed Excavation Article 11.1.3 is to bring the regulations in line with the State RSA's.

Mr. Cocci made the motion to approve the Excavation Regulation amendment to Article 11.1.3 as presented and noticed.

Motion seconded by Mr. Holmes with unanimous favorable vote.

## **SITE PLAN REVIEW REGULATIONS**

Add New Section "M"

***Sprinkler Systems:** Sprinklers systems shall be installed in all conversions and new construction of all multi-family dwelling and all clustered dwellings of any type. Sprinklers installation shall be in compliance with the applicable NFPA 13D or NFPA 13R.*

There was a general discussion and consensus of agreement for the need of the sprinkler system regulation as proposed for public and private safety reasons.

Mr. Cocci made the motion to approve the Site Plan Review Regulations amendment by adding new Section "M" (Sprinkler Systems) as presented and noticed.

Motion seconded by Mr. Holmes with unanimous favorable vote.

Mr. Holmes made the motion to close this Public Hearing at 8 pm.

Motion seconded by Mr. Cocci with unanimous favorable vote.

GLEN OAKES  
Map2 Lot 156-2

PUBLIC HEARING  
SUBDIVISION

Present: Conservation Commission member Janice O'Brien, Abutters Joseph Kelliher, Scott McFarland and Alan Bowering for Janet Bowering.

Mr. Gibb opened this Public Meeting at 8 p.m. and read the notice of the meeting which

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was as follows:

*In accordance with NH RSA 675:7 you are hereby notified of a Public Hearing to be held on September 14, 2005 at 8:00 P.M. at the Fremont Town Hall concerning a two lot subdivision of Glen Oakes Associates, Map 2 Lot 156.2. In addition, it is proposed that the remaining area of Map 2 Lot 156.2, northerly of the powerline easement shall be combined with Map 4 Lots 080, 081, 082 and 083 to be owned by the Town of Fremont.*

It was noted that this hearing was noticed on August 18, 2005 at the Fremont Post Office and Fremont Town Hall and in the August 19, 2005 edition of the Rockingham News. The applicant and all abutters were notified via certified mail on August 18, 2005 and all returns have been received.

Comment sheets were received from:

Health Officer Trudie Butler = *Approve*

Fire Chief Heselton = *"need to know more about this subdivision. What is the purpose of it"*

Fremont Conservation Commission = *"agree and recommend approval"*.

Police Chief = *"no adverse impact on public safety. We will need clear defined boundary markers for OHRV enforcement"*

Office of Selectmen = *"This plan coincides with the Town's purchase of the Glen Oakes Properties and the Board is supportive of the proposal."*

The Board received an August 24, 2005 report from David West of RPC stating that he has reviewed the plan entitled Subdivision and Lot Consolidation dated July 14, 2005 for the proposal of the subdivision of Map 2 Lot 155.2 and consolidation the northerly piece with Map 4 Lots 80, 81, 82, and 83 with the intent of this newly subdivided and consolidated lot to be sold to the Town. Mr. West recommended the following:

1. Recommended that the Planning Board grant the requested 8 waivers.
2. Questioned if the remaining 20.23 acre parcel have any test pit data that could be submitted. This would insure not creating a non-buildable lot with the subdivision. *Mr. Brouillette stated that there is no test pit data and he has asked for a waiver for it as it is all uplands. It was the consensus of the Board that test pit data is not necessary.*
3. Questioned whether the existing "woods road" would provide access for the Town to the parcel. *Mrs. O'Brien answered in the affirmative.*

The Board received an August 4, 2005 letter of authorization from Charles Lawrence for representation by Thomas Brouillette.

Mr. Gibb read the letter of intent from surveyor. Mr. Brouillette showed the plan # 881 drawn by Tom Brouillette Land Surveying and dated July 14 2005. He explained that the plan showed Map 2 Lot 156.2 with a current area of 188.66 acres subdivided and retaining 20.23 acres southerly of the power line easement. It also showed that the proposed Map 2 Lot 156.2-1 combined the area of Map 4 Lots 80, 81, 82 and 83 and the remaining 161.43 acre area of Map 2 Lot 156.2 for a total area of 312.08 acres. The plan states that a portion of this property in the vicinity of Spruce Swamp lies within the 100



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year flood hazard zone.

All those present took the opportunity to view the plan as presented by Mr. Brouillette.

Mr. Kelleher was concerned about some bulldozing done some time ago that resulted in flooding of his abutting property. Mr. Gibb explained to him that there should be no more changes done to the property as a result of this subdivision.

Mr. Bowering asked what could be done with the property. Mrs. O'Brien answered that the whole property will have low impact public access. No ATV usage. Mr. Brouillette noted that there is no access from RT 125.

The Board reviewed the list of requested waivers.

Mr Holmes made the motion to approve the following requested waivers from the following subdivision regulations:

- Article 3 Section 3-E- topographical contours

- H - wetland scientist stamp

- L - requiring High Intensity Soil Survey (HISS)

- S - scale requirement

- Article 3 Section 4-A - Number of school age children

- B - mileage to school and fire department

- Article 3 Section 6-B.1- well radius

- C-2- test pits and 4000sf suitable leaching areas for both parcels.

Motion seconded by Mr. Cocci with unanimous favorable vote.

Mr. Roy asked if the 20 acre piece that is subdivided off was always a known subdivision element. Mrs. O'Brien answered that it was and that it was never intended that the portion south of the power line was to be part of the town purchase.

Mr. McFarland asked if access through the property to an abutting property would be prohibited. Mr. Gibb noted that access to some of the abutting parcels may be restricted because of wet areas. Mr. Bolduc stated that access may be granted in some cases.

Mr. Kelleher wondered why there is an effort to save the swamp. Mrs. O'Brien answered that the parcel in an environmentally sensitive area with a variety of endangered species and the Town felt that it was worth the effort to save it.

Mr. Holmes made the motion that, based on the information presented and pursuant to plan # 881 drawn by Tom Brouillette Land Surveying and dated July 14 2005, the Fremont Planning Board approve, acres including all approved waivers, the requested subdivision of Glen Oakes for Map 2 Lot 156.2, and lot line mergers of Map 4 Lots 80, 81, 82 and 83 and the remaining 161.43 acre area of Map 2 Lot 156.2 for a total area of 312.08 acres to be owned by the Town of Fremont.

Motion seconded by Mr. Bolduc with unanimous favorable vote.

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Mr. Bolduc made the motion that the recording fees be waived as this is a town project. Motion seconded by Mr. Holmes with unanimous favorable vote.

The mylar and plans were signed. The mylar will be recorded within 3 business days.

Mr. Holmes made the motion to close this Public Hearing at 9 pm. Motion seconded by Mr. Cocci with unanimous favorable vote.

PUBLIC SERVICE OF NEW HAMPSHIRE  
NORTH ROAD

PUBLIC HEARING

Present: David Crane of PSNH and Matthew Thomas

Mr. Gibb opened this Public Meeting at 9 p.m. and read the notice of the meeting which was as follows:

*In accordance with NH RSA 231:157-189, you are hereby notified that the Fremont Planning Board will hold a Public Hearing on Wednesday September 14, 2005 at 9:00 p.m. at the Fremont Town Hall relative to a proposal from Public Service of New Hampshire for trimming and removing trees on North Road, which has been designated a scenic road by the Town of Fremont pursuant to RSA 231:158.*

It was noted that this hearing was noticed on August 26, 2005 at the Fremont Post Office and Fremont Town Hall and in the August 26 and September 2, 2005 edition of the Rockingham News. The applicants were notified via certified mail on August 26, 2005 and the return has been received.

Mr. Gibb read the August 15, 2005 correspondence from David Crane of PSNH requesting a Pubic Hearing regarding a proposal for trimming and removing trees along North Road, a designated scenic road.

Mr. Crane stated that the trimming and cutting work that Public Service of New Hampshire is proposing to do is part of their normal 4 to 5 year trimming cycle. He added that they are trimming about 80% of Fremont this year relative to tree related power outages. Mr. Crane noted that specifications call for 4" or less and they do not take down larger ones if is not necessary. He reported that PSNH has identified 5 trees that need to be taken down due to decay or rot, all landowners have been notified and agreements have been reached. Mr. Crane stated that there are 3 additional trees that are dying and need to come down to keep them from falling on the power lines, if not now certainly by the next 5 year trimming cycle. Mr. Bolduc asked if they would be considered a danger in terms of limbs falling on the road and Mr. Crane answered in the affirmative. It was noted that in the past there were donations of replacement trees to the town by PSNH and Mr. Crane stated that was a possibility except for the large growing maple trees.

In answer to a question by Mr. Thomas Mr. Crane stated that PSNH has the right to cut

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beginning at the edge of the Town right-of-way they can only cut on private property with landowners permission. He added that the landowners would be contacted before the PSNH crew began the work. Mr. Thomas stated that some of the large trees mentioned are of historic value because they are so old and voiced concern and a preference that North Road not be trimmed in the scattered fashion that South Road was in the past.

Mr. Roy suggested that the Road Agent should be contacted by PSNH prior to the start of the tree removal work. Mr. Crane agreed to contact him relative to prior flagged trees.

Mr. Bolduc made the motion to approve the request of Public Service of New Hampshire to allow trimming and removal of trees along North Road.

The motion was seconded by Mr. Holmes with unanimous favorable vote.

Mr. Holmes made the motion to close this Public Hearing at 9:30pm.

Motion seconded by Mr. Cocci with unanimous favorable vote.

## MINUTES

Mr. Gibb made the motion to approve the minutes of the August 24, 2005 meeting as written. Motion seconded by Mr. Cocci with unanimous favorable vote except for Mr. Holmes who abstained as he was not present at that meeting.

## COOPER'S FOREST/COOPER'S CORNER

Map 3 Lots 037 & 054-1

The Board received a copy of an August 19, 2005 from Bill Rollins of Vollmer Associates noting some concerns relative to the Redi Rock retaining wall at the BEBO Arch Bridge before he can recommend the proposed substitution to the Planning Board.

## FRED & JOYCE LECLAIR

Map 2 Lot 077-1

The mylar and plans were signed for the recently approved subdivision for Fred and Joyce LeClair of Map 2 Lot 077-1. The mylar will be recorded within 3 business days.

## FUTURE LAND USE VISIONING CHAPTER OF THE MASTER PLAN

Future land use planning as per the Visioning Chapter of the Master Plan was discussed. The goal would be to have some sort of a zoning ordinance relative to future districting for the March 2006 meeting. Mr. Stilwell has already agreed to be the Planning representative at the Future Land Use meetings. Mr. Karcz agreed to represent the Conservation Commission.

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Mr. Holmes made the motion that the Planning Board form a sub-committee for the Visioning Chapter of the Master Plan.

Motion seconded by Mr. Cocci with unanimous favorable vote.

## GOVERNORS FOREST

### Map 3 Lot 002

The Board received the following pertaining to the Governor's Forest project.

1. An August 23, 2005 correspondence from the Fremont Fire Chief to Mr. Ferwerda relative to not bonding the second road, turning radius at the entrance on Main Street, cistern and fire hydrant.
2. An August 25, 2005 summary of a proposed road bond from LC Engineering to Heidi Carlson in the Selectmen's office.
3. An August 25, 2005 Engineering Report from LC Engineering to the Planning Board.
4. A September 1, 2005 correspondence from the Selectmen to Mr. Ferwerda relative to the revision of Letters of Credit for Governor's Forest's road infrastructure, improvements and excavation reclamation.
5. A September 8, 2005 correspondence from the Selectmen to Mr. Ferwerda advising him that they were notified by his lender that the new letters of credit would not be issued for another two or three weeks therefore, as there is no current bond in place the Board is suspending permits and inspections until the bond matter is reestablished to the Town's specifications.  
(see all correspondences in file)

Mr. Bolduc reported that there was some conversation about the excavation site and the Selectmen felt that the excavation operation could still move forward. He reported that the bank would still honor the letter of credit and that they were working toward having it in place within another week or so. There was a discussion relative to the drainage easement that Governor's Forest has on the Neistorowich property. Mr. Gibb read the August 25, 2005 Engineering Report from LC Engineering in its entirety. Mr. Roy stated that the Planning Board has put a condition on the Excavation approval that has not been met and the deadline has come and gone. There was conversation that Mr. Ferwerda agreed to fix the runoff problem, which he has not done.

Mr. Gibb stated that what was discussed with Mr. Ferwerda was that the Planning Board would pull the Excavation permit until the outstanding conditions have been met. He feels that the permit should be pulled until the recommendations of LC Engineering are met. The Board members agreed.

After some further discussion Mr. Cocci made the motion to recommend to the Selectmen that a cease and desist be issued to Martin Ferwerda for the permitted excavation operation for Governor's Forest, Map 3 Lot 002, until a satisfactory report is received from L.C. Engineering, the Town Engineer, stating that all outstanding issues of their August 25, 2005 correspondence have been met.

Motion seconded by Mr. Holmes with unanimous favorable vote.

Mr. Bolduc previously stated and it is understood by the Planning Board that the Selectmen are working with the bond issue and that it will be resolved within another week.

SEACOAST FARMS  
Map 5 Lot 035

There was a discussion relative to odor complaints from neighbors of Seacoast Farms. Mr. Roy stated that there are some issues with Seacoast Farms between the Planning Board and the Selectmen's office relative to odor complaints. Mr. Bolduc stated that the State should be contacted. Mr. Roy stated that there were no conditions of the Site Plan for the Planning Board or Code Enforcement Officer to act on. Mr. Roy offered that there should be some sort of formal letter from the town stating that Seacoast Farms is not complying with the hours of operation and suggested levying a fine or shutting down the operation. Mr. Roy noted that the windrows for the operation are not 100' from the wetlands therefore the setback requirements are also not being met. Mr. Bolduc stated that Mr. Kemp of the NHDES will be visiting the site sometime in September and Mr. Roy, a Selectmen and a Planning Board member will meet at the site with him.

CORRESPONDENCE

The Board reviewed all incoming correspondences including:

1. The Selectmen's August 18, 25 and September 1, 2005 meeting minutes.
2. A copy of an August 29, 2005 correspondence from the Selectmen to Cobb Hill Construction – Risloves Way Map 6 Lot 050- relative to the lack of authorization of closure of Risloves Way at North Road.
3. Notice of a New Hampshire Office of Energy and Planning workshop.
4. A copy of a September 1, 2005 correspondence from Thomas Sweeney of Dufresne-Henry, Inc. relating that his company would be interested in doing any engineering reviews for the Town of Fremont.

Mr. Cocci made the motion to adjourn at 10:55 P.M.

Motion seconded by Mr. Karcz with unanimous favorable vote.

Respectfully submitted,  
Meredith Bolduc, Secretary